

WRIT PETITION No.7938 of 2007

Date: 19.03.2007

....Respondents

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THE HON'BLE SRI JUSTICE L.NARASIMHA REDDY

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WRIT PETITION No.7938 of 2007

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ORDER:

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The petitioners claim that they have purchased various extents of land in Survey Nos.7/3, 4/C1 and 4/C2 of Potluru Village, Gudlur Mandal, Prakasam District, through sale deeds executed in the years 1987 and 1988. The District Collector, Prakasam, second respondent herein is said to have issued notices dated 06.06.2005, to the petitioners under Section 3 of the Andhra Pradesh Assigned Lands (Prohibition of Transfers) Act, 1977 (for short 'Act 9 of 1977') and the Rules made thereunder, directing them to explain, as to why the lands purchased by them shall not be resumed. The petitioners claim to have submitted a representation in response thereto and alleged that no orders have been passed, so far. The complaint of the petitioners is that even while the proceedings are pending before the District Collector, the Tahsildar of the Mandal, 4th respondent herein conducted Gram Sabha on 09.03.2007 and

identified the lands held by the petitioners for resumption and distribution. They seek appropriate directions in this regard.

Heard the learned counsel for the petitioners and the learned Government Pleader for Assignment.

The petitioners have filed copies of the notices, dated 06.06.2005, issued in Form-I, by the District Collector, Prakasam. Basically, the show cause notices under Section 3 of the Act are to be issued by the Mandal Revenue Officer, particularly, in view of the fact that an appeal is provided to the Revenue Divisional Officer, against the order of resumption. That, however, is a different aspect. Even assuming that the petitioners have purchased any assigned lands, the question of resuming the possession of the same would arise, if only competent authorities had passed the orders, in accordance with the relevant provisions of the Act and the Rules made thereunder. The 4th respondent cannot dispossess the petitioners or otherwise interfere with their lands, without following the procedure prescribed by law.

Hence, the Writ Petition is disposed of, directing that the respondents, in particular, the 4th respondent, shall not interfere with the possession of the lands of the

petitioners, unless any specific orders, in accordance with the provisions of the Act 9 of 1977 and the Rules made thereunder, are passed. There shall be no order as to costs.

19.04.2007

Note: Issue operative portion of the
order by wire at party's costs.

(B/o)

JSU